

Merchantville, NJ

March 8, 2010

A regular meeting of Borough Council was held at 7:30 PM, Monday, March 8, 2010. Mayor Frank M. North presided. Pledge of Allegiance and Silent Prayer were observed. Announcement was made that the meeting had been advertised in accordance with the regulations prescribed by the "Open Public Meetings Act".

ROLL CALL:

Council Present: Alloway, Brennan, Brunton, Brickley and Fields.
Clerk Brouse, CFO Moules and Attorney Higgins were present.

PUBLIC HEARING ON ORDINANCES

ORDINANCE 10-02 AMENDING CHAPTER 26 FEE ORDINANCE
ORDINANCE 10-03 CHAPTER 66 BINGO AND RAFFLE LICENSE

Gail Ford, 135 N. Centre Street, questions regarding Community Center, American Legion Post. Background regarding the Post. Woman's Club overview. EMS building is being looked at for Borough meetings for civic groups, etc.

Geri Tabako, 130 Avignon Way, Pennsauken, Woman's Club, Jrs. and Evening Division concerned with fee changes.

Tom Evaul, 125 St. James Avenue, Gray areas for Community Center fees. Mr. Brennan talked about a walk through for use.

ADOPTION OF ORDINANCE: On a motion of Mr. Brickley and second of Mr. Alloway the following ordinance was approved by Council withholding the portion of Community Center fees:

10-02
ORDINANCE OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
AMENDING CHAPTER 25, FEES IN GENERAL, IN THE
CODE OF THE BOROUGH OF MERCHANTVILLE

BE IT ORDAINED by the Mayor and Council of the Borough of Merchantville, County of Camden, and State of New Jersey, that Chapter 26, Fees in General, is hereby added to the Code of the Borough of Merchantville as follows:

ARTICLE I. SECTION 26-1 Fees.

The following schedule of fees is hereby established with respect to the various licenses, permits and activities required under the provisions of Borough ordinances. Applications for and the issuance of such licenses and permits shall be subject to the provisions of the specific chapter of the Code which is indicated for each type of license or permit. The business, activity or operation for which the license or permit is required shall be subject to all regulations set forth in the chapter to which reference is made.

Type of License, Permit or Activity	Fee
Land use procedures	
Making and certifying a list from the tax duplicate of names and addresses of owners of real property located within 200 feet in all directions of the	\$ 10.00

Type of License, Permit or Activity	Fee
property, subject to a hearing on an application for development as required	
Police services	
Making and supplying prints of photographs taken in connection with any accident, investigation or any other matter under the jurisdiction of the Police Department	Actual cost of making photograph charged
For a police accident report, the charge for photocopies will be as provided for below, Editor's Note: See "making and supplying any photocopy" in this section. plus an additional fee when the request is not made in person	\$5.00 for the first three pages and \$1 for each additional page as provided by N.J.S.A. 39:4-131.
Postage and handling	As required by US postal service
For each additional page over two pages of any report, document or statement	See below
Gun permits - I.D. cards	Permit \$ 2.00 each ID card \$5.00 each
Making and supplying all documents relative to a discovery request for a driving under the influence charge	See below
Making and supplying any photocopy:	
First page through 10th page	\$0.75 per page
Eleventh page through 20th page All pages over 20 pages	\$0.50 per page \$0.25 per page
Documents copied on CD, DVD or Videotape	\$ 5.00 each
Alcoholic beverage licenses	
Annual license: plenary retail consumption	\$ 800.00

Type of License, Permit or Activity	Fee
Annual license: plenary retail distribution	\$ 800.00
Annual license: club	\$ 100.00
Violations and penalties	
Violation of provisions of plenary license	Up to \$200.00
Amusements and amusement devices	
Bingo (each)	\$ 10.00
Raffle-50/50 (each)	\$ 10.00
Annual dog license:	
Male/female, spayed or neutered	\$ 7.80
Male/female, unspayed or unneutered	\$ 12.00
Late fees	
License purchased after March 31	\$ 10.00
License purchased after June 30	\$15.00
License purchased after September 30	\$ 20.00
Violation/ penalties	
License for potentially dangerous dogs	Set by municipal court Title 4:19-31 \$ 150-700
Fire prevention	
Multi Family units	
R1=Up to 3 units	\$ 55.00
R2=4 to seven units	\$ 90.00
R3=8 to 35 units	\$125.00
R4=6 to 65 units	\$225.00
R5=66 to 100units	\$325.00
R6=over 100 units	\$425.00
Single business buildings	
SB1=One floor business	\$ 35.00
SB2=two floor business	\$ 65.00

Type of License, Permit or Activity	Fee
SB3=three floor business	\$ 85.00
SB4=four floor business	\$150.00
SB5=Building over 10,000 sq ft	\$175.00
Multiple business buildings	
MB1=Individual business	\$ 35.00
MB2=Common area	\$ 65.00
MB=Each floor	\$ 65.00
Smoke and CO detectors and fire extinguisher inspections:	
More than ten business days the fee is	\$ 35.00
Fewer than ten but more than four business days	\$ 70.00
Four business days or fewer	\$ 125.00
If re-inspection required /per re-inspection	\$ 10.00
The Borough of Merchantville hereby adopts the fee structure of the New Jersey Department of Community Affairs for the State Uniform Construction Code, as authorized by New Jersey regulations. The above hereby incorporates N.J.A.C. 5123-4:20 as currently in place and any future amendments and/or appropriate regulatory provision pertinent to the fee structure.	On file
Sign permit application fee	
Business	\$ 50.00
Dangerous sign administration fee	\$100.00
License for temporary locale	
Dumpster/Container Permit (10 Day)	\$ 25.00
5 day Renewal (up to three times)	\$ 15.00
Reinspection fees (per reinspection)	
Peddling and soliciting	
License issued for a three-month period	\$ 50.00
Sewers	
Permit to make connection with sewer system	\$1,207.00
Street openings	

Type of License, Permit or Activity	Fee
Permit fee	\$ 20.00-100.00
Bond for street opening	
Deposit in lieu of bond for street opening	
Swimming pools	
Basic permit fee for wading pool	\$ 5.00
Swimming pool permit fee	\$ 20.00
Zoning	
Certificate of appropriateness, per dwelling unit (residential)	\$ 50.00
Certificate of occupancy, per dwelling unit (commercial)	\$ 50.00
Re Inspection fee	\$ 10.00
All lists of property owners furnished for any reason	See copies per page
Zoning application fee	\$ 25.00
Boarding-up costs	
Labor (plus any costs incurred by the Borough for supplies)	Overtime rate based on wage
Public Works services	
Per man per hour:	Overtime rate based on wage
Minimum fee:	\$125.00
Land Use and Zoning Book	
Copy of Master Plan	\$ 25.00
CD copy of Master Plan	\$ 5.00
Engineer's inspection fee. Any portion of the Engineer's required time which is not covered by the escrow will be billed to the applicant directly.	
Escrow requirements: Planning Board Solicitor.	

Type of License, Permit or Activity	Fee
Site plan	
Minor	\$ 150.00
	Escrow
	\$250.00
Major	\$300.00
	Escrow
	\$1,500.00
Variance application	
Minor	\$150.00
	escrow
	\$250.00
Major	\$500.00
	escrow
	\$1,500.00
Solicitor's fees. Any solicitor's fees are the responsibility of the applicant.	
Tax bills	
Duplicate tax sales certificate	None-up to
	\$100.00
	N.J.S.A 54:5-
	52.01
Historic Preservation Commission Review	
New Construction	\$200.00
Application for alterations/demolitions/additions	\$100.00
Certificate of appropriateness	\$ 50.00
Review of application for demolition referred to the Planning Board (in addition to other fees charged)	Escrow
	\$250.00
Marriage license	
Issuance	\$ 3.00
Each additional certified copy	\$ 6.00
Affidavit of domestic partnership	\$ 6.00
Birth certificate	\$ 6.00
Certified copy (each)	

Type of License, Permit or Activity	Fee
Death certificate	\$ 6.00
Certified copy (each)	\$ 6.00
Burial permit	\$ 15.00
Notary (nonresidents)	\$ 1.00
Return check fee	\$ 25.00
First through tenth copy (per copy)	\$0.75
Eleventh through twentieth copy (per copy)	\$0.50
Twenty-first copy and thereafter (per copy)	\$0.25
Computer printout copy (per page)	See above

ARTICLE II.

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith. If any section, paragraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision so adjudged and the remainder shall be deemed valid and effective.

ARTICLE III.

This Ordinance shall take effect upon passage and publication according to law.

ADOPTION OF ORDINANCE: On a motion of Mr. Brunton and second of Mr. Brickley the following ordinance was approved by Council:

10-03

**ORDINANCE OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
ADDING CHAPTER 66, RAFFLES AND BINGO LICENSING**

BE IT ORDAINED by the Mayor and Council of the Borough of Merchantville, County of Camden, and State of New Jersey, that Chapter 66, Raffles and bingo licensing, is hereby added to the Code of the Borough of Merchantville as follows:

ARTICLE I.**Eligible organizations**

A code authorizing licensing of bona fide organizations or associations of veterans of any war in which the United States has been engaged, churches or religious congregations and religious organizations, charitable educational and fraternal organizations, civic and service clubs, senior citizen associations and clubs, officially recognized volunteer fire companies and officially recognized volunteer first-aid or rescue squads is hereby established pursuant to N.J.S.A. 5:8-24 to 5:8-49.

ARTICLE II**issuing authority**

The said code established and adopted by this article is described and commonly known as the "Bingo Licensing Law of New Jersey (1954)."

Three copies of the said Bingo Licensing Law of New Jersey have been placed on file in the office of the Municipal Clerk of this Borough upon the introduction of this article and will remain there until final action is taken on this article for the use of and examination by the public.

The Borough of Merchantville does hereby delegate the Municipal Clerk of the Borough of Merchantville to be the issuing authority for the purpose of approving and granting bingo and raffle licenses.

No person shall hold, operate or conduct or assist in holding, operating or conducting any games of chance authorized under any license issued under this article, except as an active member of an organization, association, church, congregation, society, club, fire company, first-aid or rescue squad or senior citizen association or club to which the license is issued or a member of an organization or association which is an auxiliary to the licensee.

ARTICLE III application

Each applicant for such a license shall file with the Clerk of the municipality a written application therefore in the form prescribed in N.J.S.A. 5:8-26.

Municipal Clerk shall make an investigation of the qualifications of each applicant with due expedition after the filing of the application, in accordance with the provisions of N.J.S.A. 5:8-27. There shall be a payment of a license fee or fees of \$10 for each occasion upon which any game or games of chance are to be conducted under such license, in addition to the fee to be collected by the municipality and remitted to the state for each such game of chance. The ten-dollar fee to the municipality shall be waived for any bona fide nonprofit organization such as a charitable, religious or service organization as recognized by U.S.C.A. § 501(c) or (d) or § 401(a).

Note: For current fees, see Chapter 26. , Fees.

No license for the holding, operating or conducting of any game or games of chance should be issued under this article which shall be effective for a period of more than one year.

No application for the issuance of a license shall be refused by the Municipal Clerk until after a hearing is held on due notice to the applicant, at which the applicant shall be entitled to be heard upon the qualifications of the applicant and the merits of the application.

Each license shall be conspicuously displayed at the place where the game or games are conducted at all times during the conduct thereof.

ARTICLE IV age requirement

No person under the age of 18 years shall be permitted to participate in any game or games of chance held, operated or conducted pursuant to any license issued under this article.

ARTICLE V location of

No game or games of chance shall be held, operated or conducted under any license issued under this article oftener than on six days in any calendar month or in any room or outdoor area where alcoholic beverages are sold or served during the progress of the game or games.

ARTICLE VI special license

There shall be a special license issued to any senior citizen association or club which operates and conducts games of chance solely for the purpose of amusement and recreation of its members. All applicants for such license must comply with the requirements of N.J.S.A. 5:8-25.1.

ARTICLE VII advertisement

No game of chance to be conducted under any license issued under this article shall be advertised as to its location, the time when it is to be or has been played or the prizes awarded or to be awarded by means of newspaper, radio, television or sound truck or by means of billboards, posters or handbills or any other means addressed to the general public, except that one sign not exceeding 60 square feet in area may be displayed on or adjacent to the premises where the game will be played, and an additional similar sign may be displayed on or adjacent to the premises where the Games of chance may be conducted under any license issued under this article on any day of the week, including Sunday.

ARTICLE VIII violations

Any person, association or corporation who or which shall make any false statement in any application for any such license or in any statement annexed thereto or shall pay any rental for the use of any premises for holding, operating or conducting any game of chance under this article or for any other purpose in connection with the holding, operating or conducting thereof, unless the amount of such rental is stated in a statement annexed to the application for the license as provided in N.J.S.A. 5:8-26, or shall pay or receive any sum for such rental in excess of

the sum stated as the rental to be charged therefore in such a statement, executed by him or her or on its behalf, or shall fail to keep such books and records as shall fully and truly record all transactions connected with the holding, operating or conducting of games of chance under any such license or shall falsify or make any false entry in any books or records so far as they relate to any transaction connected with the holding, operating and conducting of any game of chance under any such license or shall violate any of the provisions of this article or of any term of such license shall be a disorderly person and, if convicted as such, shall, in addition to suffering any other penalties which may be imposed, forfeit any license issued to it under this article and shall be ineligible to apply for a license under this article for one year thereafter.

ARTICLE IX

Sunday permission

Pursuant to the provisions of N.J.S.A. 5:8-31, the holder of any license issued pursuant to the provisions of N.J.S.A. 5:8-24 et seq., known as the "Bingo Licensing Law," and pursuant to the provisions of N.J.S.A. 5:8-58, the holder of any license issued pursuant to the provisions of N.J.S.A. 5:8-50 et seq., known as the "Raffles Licensing Law," shall be permitted to conduct games on the first day of the week commonly known and designated as Sunday, provided that the initial application for any such license shall specify that Sunday permission is requested and that the Municipal Clerk of the Borough of

ARTICLE X

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

ARTICLE XI

This Ordinance shall take effect upon passage and publication according to law.

PUBLIC:

Henry Kabal, 8 Crump Lane, Snow storm issues. Street has no sidewalks, snow goes on side that plow has gone on. Snow should be moved off of the street entirely. Mr. Brickley responded. Difficult to find a place to put the snow with such large amounts of accumulation.

Tom Evaul, 125 St. James Avenue, Chestnut Station town homes were to pay \$1,500 per town home with the CO. Mayor North responded that it has been paid and the money was used to purchase two 3 wheel bicycles for residents & then look at adding lighting as well .

Andy Brittain, 107 Myrtle Avenue, received letter regarding West End redevelopment area. NJ has bad reputation for abuse and taking of land given the atmosphere of NJ why are we including blocks 9 and 10 as redevelopment area. Concerned about this.

ENGINEER'S REPORT:

The Engineer provided a written report on ongoing projects.

APPROVAL OF MINUTES: On a motion of Mr. Brennan and second of Mr. Brunton, Council approved the regular meeting minutes for 1/11/10.

CORRESPONDENCE:

COUNCIL REPORTS:

Mrs. Fields-Margie Marks is no longer working in the Borough, Geraldine Guggino will now be in the office. Because of weather, playground equipment has been held up. No Planning Board meeting. Mr. Watson reported 3 cases held. Six new businesses have applied and will be coming into the Borough in the near future. 606 inspection on 22nd of March with State, County and Local officials.

Mr. Brickley reported on Public Works, 1 plow down in February storm & will use for

parts. Proposing a townwide clean up in Spring and posted area wide. Down staff, thanked residents for understanding recycle day changes during storm.

Mr. Brunton gave the Shade Tree report. Storm damaged many trees on Walnut & Chestnut and have been taken care of. Office of Emergency Management meeting is planned for March 29th.

Mr. Brennan reported on Public Events. Meeting will be March 15th @ 6:30 Task Force, 7:00 beginning birthday celebration plans. March 27th will be the Egg Hunt with April 3 as a rain date. April 17 Spring fling-Beer Garden, Spring clean up May 1, Car Show, July 10 sponsorship filling up, meeting biweekly. Thanks to Mr. Volkert and Mr. Waldron for taking downing the holiday snow flakes and banners. 22 calls to the Fire Dept.

Mr. Alloway-Police had 247 calls, report step up patrols in West end. Hired Richard Gracia as new Police Officer. Department of Corrections did inspections. Pit Bull problems in town regarding Cherry Hill and we are working on problem. Father Anthony request for processions. Police letter appreciate officers in the school parking lot. Sgt. Koehler and Police Chief Bauer received a JIF award for the Borough.

CLERK'S REPORT: Ms. Moules requests Capital ahead of time (see folder)

NEW BUSINESS:

RESOLUTIONS to be approved by consent agenda: On the motion of Mr. Brickley and second of Mr. Alloway, Council approved the following resolutions to be read and approved by Consent Agenda:

R10-38

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY APPOINTING PATROLMAN, POLICE OFFICER

BE IT RESOLVED, by the Borough Council of the Borough of Merchantville, with the Mayor concurring, that RICHARD GRASSIA JR. be and is hereby appointed as a patrolman, police officer of the Borough of Merchantville Police Department, effective March 1, 2010 subject to and conditioned upon his successful completion of all training required by the Statutes and certification of such.

R10-39

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, CAMDEN COUNTY, NEW JERSEY CDBG YEAR 32 PROJECTS

WHEREAS, the Borough of Merchantville is entitled to Community Development Block Grant funding; and

WHEREAS, the Governing Body has chosen to submit an application for Program Year 32 (2010-2011); and

WHEREAS, the grant allocation for YEAR 32 (2010-2011) for the Borough of Merchantville is \$25,707.00; and

WHEREAS, the governing body has agreed to apply for funding for the following activities:

- | | |
|---|-------------|
| 1. Rehabilitation and Repair of Merchantville Senior Center | \$12,707.00 |
| 2. Senior Transportation | \$ 8,000.00 |
| 3. ADA-compliant Sidewalk Curb Cuts | \$10,000.00 |

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Merchantville, that the Mayor is hereby authorized to sign the Project Description Form for Program Year 32 (2010-2011).

**R10-40
RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
CAMDEN COUNTY, NEW JERSEY REFUND OF
TAX PAYMENT TO LIEN HOLDER**

WHEREAS, the Merchantville Tax Collector has called to Mayor and Council's attention a request to refund a duplicate Tax payment to the Homeowner because both the Homeowner and Mortgage Company paid the 1st qtr of 2010:

NOW, THEREFORE, be it resolved by the Mayor and Council of the Borough of Merchantville that the following refund be approved on this account in the amount of \$1,325.37 and be forwarded to Alexander & Elena Kaganovich, 27 Whyte Drive, Voorhees, NJ 08043:

<u>BL.</u>	<u>LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
5	11	Kaganovich, Alexander & Elena	\$1,325.37
507 W. Maple Avenue			

APPROVAL: On a motion of Mr. Alloway and second of Mrs. Fields, Council approved the Special Permit for social affair.

APPROVAL was given to St. Peters for procession Maple to Chestnut to Alexander to Maple for April 2, May 2, June 6.

DISCUSSION-Use of EMS building for meetings. Will we spend more for heat of building in winter.

PAYMENT OF BILLS:

On the motion of Mrs. Fields and second of Mr. Brunton, Council approved the following bills for payment:

**R10-41
RESOLUTION**

RESOLVED that the Report of the Department of Accounts and Auditing be accepted and spread upon the minutes and the Treasurer be is hereby authorized to pay bills approved therein.

Borough of Merchantville Current Fund	Bill List Summary	March 8, 2010 Revenue fund
Checks Current Fund	2009 Budget	1,816.08
	2010 Budget	78,755.58
	State / Federal Grants	5,048.77
	Debt Service	
	Board of Education	
	Revenue Current	24,156.76
	Checks Delivered	7,187.22
	Total Current	24,156.76 92,807.65
Sewer Utility Fund	2010 Budget	166.16

Debt Service			
Checks Delivered			
Total Sewer			166.16
Recreation Commission			
2010 Budget			
Revenue Rec		1,500.00	
Checks Delivered			
Total Recreation			1,500.00 0
General Capital Fund			
Budget			1,725.00
Sewer Capital Fund			
Budget			14,086.80
Checks Delivered			
Total Capital			15,811.80
Trust-Other Fund			
2010 Budget			
		17,100.00	
Checks Delivered			
		350.00	
Total Trust			17,450.00
Animal Trust			
2010 Budget			
Unemployment			
2010 Budget			
Checks Delivered			51.60
		Total	51.60
Total Bill list	Revenue \$ 25,656.76	Budget	126,287.21

ANNOUNCEMENTS: Awarded the TCDI Grant for West End of town in the amount of \$60,000.

ADJOURNMENT:

On the motion of Mr. Brennan and second of Mrs. Fields the meeting was adjourned at 9:10 PM.

DENISE BROUSE
BOROUGH CLERK